IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40609 of 2008
UPENDRA YADAV @ UPENDRA KUMAR
Versus
STATE OF BIHAR
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4. 8.12.2008 Heard Md. Gheyasuddin Khan, learned counsel for the petitioner and Mr. Dashrath Mehta, learned A.P.P.

The informant closed his shop in the market place in Rafiganj and was proceeding towards his house. He had a small bag in his hand. When he reached at a particular place, two persons who were already there, held his hand and the bag was taken away by the third person. Three other criminals started dragging the informant by catching hold of his leg. The informant then started raising a cry so as to saving him. People were attracted to the scene of occurrence, they chased the criminals and the petitioner was caught, who was beaten up also by persons and during that course the petitioner disclosed the names of other accomplices.

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The contention is that nothing was recovered from the possession of the petitioner and the petitioner was beaten up and is in custody for about eight months. The contention further is that other accused persons named by the petitioner have been admitted to bail by this Court.

Learned A.P.P. has made reference to different paragraphs of the case diary.

Regard being had to the facts and circumstances of the case and the allegation that the petitioner was chased and caught and the petitioner was also beaten up who confessed before the persons

about his complicity, I am not inclined to direct release of the petitioner on bail.

The petition is dismissed.

(Dharnidhar Jha,J)

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